

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2000-527-C - ORDER NO. 2000-1031  
DECEMBER 27, 2000

IN RE: Petition of AT&T Communications of the	)	ORDER MODIFYING
Southern States, Inc. for Arbitration of	)	ARBITRATION
Certain Terms and Conditions of a Proposed	)	SCHEDULE
Interconnection Agreement with BellSouth	)	
Telecommunications, Inc.	)	

This matter comes before the Public Service Commission of South Carolina ("Commission") on a request of AT&T of the Southern States, Inc. ("AT&T") to modify the arbitration plan approved in Commission Order No. 2000-944, dated November 21, 2000, and entitled "Order Establishing Arbitration Plan and Schedule." The Order Establishing the Arbitration Plan and Schedule was issued after a Petition for Arbitration was filed by AT&T on October 18, 2000, seeking arbitration of an interconnection agreement between it and BellSouth Telecommunications, Inc. ("BellSouth"). Pursuant to Section 252 (b)(4)(C) of the Telecommunications Act of 1996, the Commission must issue its decision on all open issues in the arbitration proceeding no later than 9 months after the date on which the local exchange carrier received the request for negotiation, or in this case by February 15, 2001. Accordingly, the Commission in Order No. 2000-944 established an arbitration plan and schedule to assist the Commission in adhering to the timeframes set forth in the Telecommunications Act of 1996.

AT&T informs the Commission that negotiations have been ongoing to resolve the arbitration proceeding and that the number of issues which will be before the Commission at the hearing have narrowed. Therefore, AT&T requests that the Commission modify the previously established schedule and move the scheduled hearing to January 25, 2001.

The Commission, upon consideration of the AT&T's request, finds that AT&T's requested hearing date of January 25, 2001, is too close to the February 15, 2001, deadline by which the Commission must issue its final order in this matter. However, due to the narrowing of issues by the parties, the Commission finds good cause for adjusting the hearing date. The Commission is informed by the Executive Director that January 12, 2001, is available for the hearing. Therefore, the Commission will move the scheduled hearing from January 4, 2001, until January 12, 2001.

Accordingly, Order No. 2000-944, dated November 21, 2000, captioned "Order Establishing Arbitration Plan and Schedule" is modified as follows<sup>1</sup>:

(1) The Arbitration Hearing in this Docket shall begin at **10:30 A.M. on Friday, January 12, 2001**, in the Commission Hearing Room.

(2) The Commission hereby orders that twenty-five (25) copies of the rebuttal testimony and exhibits of AT&T shall be prefiled on or before **January 5, 2001**, and BellSouth shall prefile any surrebuttal testimony and exhibits on or before **January 10**,

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<sup>1</sup> The modifications herein relate only to the date of the hearing and due dates of rebuttal testimony and surrebuttal testimony, and the date on which non-binding questions must be filed. The instructions concerning filing, number of copies to be filed, and service on other parties have not been modified from Order No. 2000-944, but those instructions are repeated herein for emphasis to the parties.

**2001.** It should be noted that acceptance of surrebuttal testimony and exhibits is subject to the discretion of the Commission.

The parties shall serve the other parties with copies of all prefiled testimony and exhibits. **Testimony and exhibits shall be served on the parties and on the Commission by the close of business on the dates herein specified.** In other words, parties and the Commission shall have testimony and exhibits in hand by the close of business on the dates herein specified. If service cannot be accomplished on the dates indicated herein, service may be accomplished by facsimile transmission of the prefiled testimony and exhibits by the close of business on the dates herein specified with overnight delivery of the testimony and exhibits to follow.

All parties are reminded that all witnesses must be present during the hearing in this matter at the call of the Chairman, or the Commission may decline to allow the witnesses' testimony to be read into the record of the proceeding, and/or may decline to allow the witnesses' exhibits to be entered into the evidence of the case.

(3) Further, AT&T and BellSouth, as well as any participants in this matter, may submit a non-binding list of questions to the Arbitrator (the Commission) on or before **January 5, 2001.**

Opening statements of the parties and any participants will be allowed at the beginning of the hearing. Closing statements of the parties and any participants will be allowed at the conclusion of the hearing.

Direct testimony and exhibits of the parties' witnesses shall be presented to the Arbitrator in a panel format, with all witnesses being sworn in concurrently. Examination

of the witnesses shall be conducted by the Arbitrator or its designee. The examination may be directed to specific witnesses or to the entire panel of witnesses. Responses by other party to the examination may be allowed at the discretion of the Arbitrator.

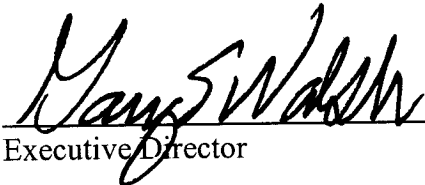
Please note that any party requesting modification of this schedule must file a request for such modification with the Commission.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)